

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SANTIAGO SOTO-GARCIA,

Defendant.

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Case No. 15-05034-01-CR-SW-RK

ORDER

Pending before the Court is Defendant's Motion to Suppress Evidence (Doc. 77) and a Motion to Suppress an Unlawful Stop and Seizure (doc. 78). Defendant argues in his Motion to Suppress Evidence (doc. 77) that the stop of his vehicle was unreasonably extended for a drug dog sniff. In Defendant's Motion to Suppress an Unlawful Stop and Seizure (doc. 78), Defendant contends there was no reasonable suspicion or probable cause to stop him because he did not commit a traffic violation.

On June 21, 2016, United States Magistrate Judge David P. Rush conducted an evidentiary hearing on the motions to suppress. Objections were due by September 12, 2016. No objections have been filed.

On August 24, 2016, Judge Rush issued his Report and Recommendation (doc. 109). Upon careful and independent review of the pending motions, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge David P. Rush.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress Evidence (doc. 77) and Defendant's Motion to Suppress an Unlawful Stop and Seizure (doc. 78) are OVERRULED and DENIED.

SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: September 30, 2016